

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

MARK JEROME JOHNSON BLOUNT,)
)
)
Plaintiff,)
)
v.) Case No. 6:23-cv-03106-MDH
)
)
UNITED STATES OF AMERICA, et al.,)
)
)
Defendants.)

**DEFENDANTS' MOTION FOR AN ENLARGEMENT OF TIME TO FILE AN
ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT**

Pursuant to Fed. R. Civ. P. 6(b), Defendants move this Court for an order enlarging the time to answer or otherwise respond to Plaintiff's Complaint, ECF No. 1, by thirty-one days to Monday, July 17, 2023. In support of this motion, Defendants state as follows:

Supporting Suggestions

1. On April 7, 2023, Plaintiff filed a Complaint, ECF No. 1, against Defendants seeking declaratory and injunctive relief in relation to the National Firearms Act, 26 U.S.C. § 5812, et seq., the Gun Control Act of 1968, and the Firearms Owners' Protection Act of 1986, 18 U.S.C. § 922, et seq.
2. The United States Attorney for the Western District of Missouri was served with process on April 17, 2023.
3. Pursuant to Fed. R. Civ. P. 12(a)(2), the deadline for Defendants to file an answer or otherwise respond Plaintiff's Complaint is June 16, 2023.¹

¹ The undersigned counsel presently lacks any information concerning service, or attempted service, upon the United States Attorney General as required by Fed. R. Civ. P. 4(i)(1)(B). Nevertheless, for the purposes of this motion only, it will be assumed that Defendants' deadline for filing a responsive pleading to Plaintiff's Complaint is June 16, 2023, in accordance with Fed. R. Civ. P. 12(a)(2) and 6(a)(1). This deadline assumption is not intended be, and should not be construed as, a waiver of any defenses that Defendants may have regarding insufficient service of process should

4. Defendants request an enlargement of time to thoroughly review Plaintiff's extensive (189-page, 491-paragraph) Complaint, to review records and information from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and to seek policy information and guidance from both the ATF and the Department of Justice, Federal Programs Branch. The requested extension is necessary to permit the undersigned to thoroughly review and assess the facts and issues presented in this case and to formulate, prepare, and file a proper response to Plaintiff's Complaint.

5. This is Defendants' first request for an enlargement of time. In seeking additional time to respond, Defendants do not intend to delay these proceedings, but rather to develop a complete and thorough record for an efficient and just presentation of the issues before this Court. Thus, granting this motion will not unduly hinder a speedy and proper resolution of this case.

Based on the foregoing, Defendants request that this Court enter an order enlarging the time to answer or respond to Plaintiff's Complaint by thirty-one days to Monday, July 17, 2023.

Respectfully submitted,

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United States Attorney

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it be discovered that the United States Attorney General was not properly served.

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of June 2023, a true and correct copy of the foregoing document was filed with the Court using the Court's CM/ECF system and was served upon each attorney of record via ECF notification and/or via first class mail to the address indicated below.

Mark Jerome Johnson Blount
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/s/ Wyatt R. Nelson

Wyatt R. Nelson
Assistant United States Attorney